

a first needle being moveable in a longitudinal direction of the first endoscope and including a sharp end for penetrating the digestive wall from the oral side of the point to the anal side of the point;

a suture passing through the digestive wall following the first needle;

and a suture retaining device having a grasping section for grasping the suture after it has passed through the digestive wall.

2. (Amended) The apparatus according to claim 1, further comprising:

a knot pushing device for moving a knot of the suture, which is formed outside the body cavity after the suture has pulled out from the body cavity by the suture retaining device, into the body cavity.

3. (Amended) The apparatus according to claim 1, wherein the holding device includes two jaws moveable between an opened position and a closed position.

4. The apparatus according to claim 1, wherein the first needle has a hollow space disposed therein.

6. The apparatus according to claim 1, further comprising :

a second needle positioned side by side and spaced apart by a certain distance from the first needle.

7. (Amended) The apparatus according to claim 6, wherein the first needle and second needle are disposed on the outer periphery of the first endoscope.

8. (Amended) The apparatus according to claim 1, further including a guide member having a through hole is provided side by side with the holding device;

wherein the suture retaining device is moveable in the through hole of the guide member.

9. (Amended) The apparatus according to claim 1, wherein the suture retaining device includes two jaws moveable between an opened position and a closed position.

10. (Amended) The apparatus according to claim 1, further comprising a second endoscope, the first needle extended from a distal end of the second endoscope.

11. (Amended) The apparatus according to claim 1, wherein the first needle is moveable in a position nearer to the handle section of the endoscope than the distal end of the endoscope is.

12. (Amended) The apparatus according to claim 1, wherein when the holding device holds the junction of a stomach and a esophagus, and the first needle is positioned in the oral side of the junction.

Please add new claim 20.

20. (New) The apparatus according to claim 6, further comprising a second endoscope, wherein the first needle and the second needle extend out of a distal end of the second endoscope.

REMARKS

Claims 1-4, 6-12, and 20 are pending in the current application. Claims 5, and 13-19 are cancelled. The Applicants request further prosecution on the merits of the remaining claims.

Respectfully submitted,



John C. Altmiller
Registration No. 25,951

DATE: January 3, 2003
KENYON & KENYON
1500 K Street, N.W., Suite 700
Washington, D.C. 20005-1257
(202) 220-4200 (Tel)
(202) 220-4201 (Fax)